

REMARKS

Claims 1-6, all the claims originally pending in the application, stand rejected. Claims 1 and 3-5 have been amended. Applicant respectfully submits that all claims now are allowable.

Claim Objections

Claims 1 and 5 have been objected to because the Examiner finds that the claims contain either an obvious typographical error or are unclear and present “grammatical issues.” Applicant has amended claims 1 and 5 in order to remove any basis for further objection.

Claim Rejections - 35 U.S.C. § 112

Claims 1-6 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Examiner points to the term “miniature” in claim 1 and a perceived inconsistency between the use of either position detection (claim 3) or management data (claim 4) to generate a race image. The Examiner interprets the language as permitting both to be used to generate an image. This rejection is traversed for at least the following reasons.

With regard to the term “miniatures” in claim 1, Applicant has modified the term to read “miniature running members” consistent with the terminology of the disclosure. The new language is reflected in the amended claims.

As to the rejection of claims 3 and 4, Applicant notes that the generation of race course images is performed by two distinct structures. One image is provided at the main unit 10 on a large display 13 by an image generator 16 under control of a race manager 14, as explained at page 7, lines 17-24. Other images are generated at each of a plurality of satellite terminals 20 on a respective display 33 in a virtual telescope 30, all under control of the race manager 14. The image generated at each display 33 is based upon a detection of a position on the track to which the virtual telescope is pointed, which may use optical (page 8), mechanical (page 9) or other techniques. As explained at page 16, an image is thus produced uniquely and in synchronism with the running of the miniature running members by each satellite terminal 20 on the display in its corresponding telescope 30.

Claim 3 is directed to the content of the satellite terminal 30 that is recited in claim 1 and the display of an image on the telescope 30. Claim 4 is directed to of the structure of the main terminal. Clearly, the image generator, the display and its location differ. Thus, the two claims are complementary and the rejection should be withdrawn without the need for any amendment.

Claim Rejections - 35 U.S.C. § 103

Claims 1-6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Riyuuou (JP Pub. 07-108888) in view of Suzuki (5,320,531). This rejection is traversed for at least the following reasons.

In framing the rejection, the Examiner makes certain representations as to what the Japanese language reference to Riyuuou teaches. On the basis of Applicant's review of the reference, Applicant notes that Riyuuou teaches a race competition on a board 2 that is illuminated by overhead lighting 12 and captured by cameras 9, 10 and displayed on a common screen 4. A pre-recorded video also may be displayed. Patrons at satellite terminals 3 are able to bet coins, but there does not appear to be any display at the terminals 3.

The Examiner admits that Riyuuou does not teach that the participant is given computer generated graphic images. Accordingly, the Examiner looks to Suzuki for a teaching of a virtual race wagering game that uses computer images of actual racing objects to provide a realistic image to observers. The Examiner states that Suzuki provides a virtual telescope of the race images. This assertion is unsupported and clearly in error.

Riyuuou was distinguished in the background section of the present application at pages 1 and 2. The claimed invention requires a "virtual telescope including a built in display" which shows the state of the race "as if the player observes the race there through." Nothing of the sort is taught in Suzuki. The term "virtual telescope" refers to a binocular-type, cylindrical-type, glass-type or other type of viewing instrument that brings players spaced apart around the table unit a sense of realism with respect to the race (page 6). In the absence of this structural limitation, the Examiner's rejection must fail.

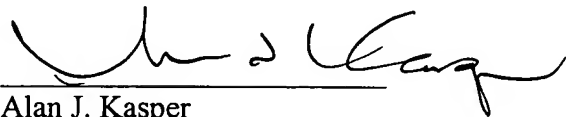
Amendment under 37 C.F.R. § 1.111
Application No. 10/036,440

The remainder of the claims are dependent on claim 1 and, accordingly, would be allowable for the reasons given with respect to claim 1. Moreover, these claims are patentable on their own, because either the specific limitation or the combination of features in the claim are not found in the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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